THE COURTS.

THE SCANNELL-DONOHOE KILLING.

The Long Agony of Obtaining a Jury Ended-The Twelfth Good Man and True Obtained-Israelites, in the Majority, Decline to Sit on Saturdays-The Court Adjourned Till Monday Next.

THE JUMEL ESTATE CASE.

Mearer the End-The Plaintiff Presented to the Jury as a True Presentment of Mme. Jumel--Close of Argument for the Plaintiff and Mr. O'Conor's Opening for the Defence.

BUSINESS IN THE OTHER COURTS.

Summaries-Action Between Landlord and Tonant-Business in the General Sessions, Parts 1 and 2.

The hearing of the case of G. W. Bowen vs. Nelson Chase was resumed yesterday in the United States Circuit Court before Judge Shipman and the special Jury. Ex-Attorney General Hoar concluded his aming up on the part of the plaintiff. Mr. Charles O'Conor replied for the defendant, and had not concluded when the Court rose, at four o'clock. He will resume on Monday, to which day the case stands adjourned.

and Terminer, the long-protracted labor of procur-ing a jury was happily brought to an end yesterday. The twelfth juror was obtained and the Court adjourned till Monday morning next.

William Louison, who keeps a sailors' boarding house and had been charged with assaulting a United States officer while arresting a deserting sailor, waived examination yesterday before Commissioner Shields, and was discharged on his own recognizance by consent of the District Attorney.

THE SCANNELL-DONOHOE TRIAL.

The Twelfth Juror Obtained-Israelites on the Jury Object to Sitting Saturdays-The Case Adjourned Till Monday.

Yesterday, the fifth day of the trial of John Scannell for the shooting of Thomas Donohoe, was occupied in completing the jury. At the opening of the Court the eleven jurors obtained in the course of the last four days took their seats, and looked with interest at all who were called and subjected to an exhaustive analysis as to the state of their minds by the counsel for the prosecution

A fresh panel of 100 had been summoned for today, and it was hoped that out of these the twelfth juror would soon be found and the trial commenced: but, as on the previous days of the case, It was rather difficult to find a man in this intelli-

gent community without an opinion.

John M. Monat, a sculptor, was, he considered, capable of deciding impartially on the testimony oduced. He read the reports of the murder, and had formed an impression, but this would not in fluence his verdict. He had no scruples regarding capital punishment. The triers found him competent, and the prosecution challenged him per-

emptorily.

Joseph Foss, a fish dealer, had read of the Scan-nett-Donehoe tragedy, and had formed an opinion and expressed it.

Mr. Beach—Would that opinion influence your verdict ? Mr. Foss—I don't know whether it would or not (Laughter, amid which Foss was requested to take

Henry H. Richardson, bookseller, of 22 Vesey street, had not read the newspaper reports of the murder; read only the heading, and thought he had the whole story in brief. He was finally ex-

Charles H. Schirmer, an upholsterer, of No. 191
Third avenue, read the reports of the snooting of Donohoe, but never believed anything he read in the newspaners. (Laughter.) He would believe nothing unless he had proof of it. He beionged to no political party; never was in John J. Bradley's stables or talked of the case there; thought he knew the prisoner by sight. He was challenged by the prosecution.

James L. Jones, restaurant keeper, corner of Broadway and Howard street, was excused.

John Lacy, carpets, No. 171 Sixth avenue; William Henry Wells, of Thirty-first street; Henry E. Hart, furrier; Henry Halleck, Louis Ash and several others were excused.

Henry Solomon Mack—twelfth Jubor.

Charles Loeier, chair dealer in the Seventh ward,
was excused.

Henry Solomon Mack—Twelfth Juror.

At twenty minutes of two P. M. the twelfth
Juror, in the person of Henry Solomon Mack, a
ciothier, of West Forty-sixth street, was obtained
and swern in. He is an intelligent appearing
young man, of about twenty-three years of age.

The jury being now completed the District Attorney sked if there was any gentleman on the
jury who had any objection to setting on Saturday.
The foreman, Samuel Dreylus, said he would wish
to be excused on Saturdays, and it was agreed that
the Court would adjourn over until Monday.

The question arose as to whether the jury should
be locked up or allowed to go to their homes till
Monday morning.

Judge Brady decided to allow the jury to go to
their homes till Monday morning, cautioning them
not to talk to any person, not even to any of their
own family, of the case.

Mr. Beach said a leading newspaper had contained articles calculated to prejudice the case
against the prisoner. He hoped the Judge would
cantion the jurors not to read anything of the
affair in any of the papers while they were out of
the custody of the Court, and also to request that
the newspapers would refrain from making comments until the trial was over.

Judge Brady cautioned the jury as requested by
Mr. Beach, and said he had not observed the
articles referred to. He asked that the papers
would say nothing of the case during the progress
of the trial, except laithfully report the proceedlings.

The Court was then adjourned till Monday at

ings.
The Court was then adjourned till Monday at half-past ten o'clock A. M.

THE JUMEL ESTATE CASE.

The Suit of Bowen vs. Chase-The Plaintiff Exhibited to the Jury-Close of Ex-Attorney General Hour's Sums ming Up for the Plaintiff-Reply of Mr. Charles O'Conor for the Defendant-He Will Resume His Argument

on Monday.

The hearing of the case of George W. Bowen vs. Nelson Chase was resumed yesterday in the United States Circuit Court, before Judge Shipman and

Mr. Hoar, Mr. Chatfield, Mr. Chauncey Shaffet and Mr. Sawyer appeared as counsel for the plaintiff, and Mr. Charles O'Conor and Mr. J. C. Carter for the defendant.

CONTINUATION AND CLOSE OF EX-ATTORNEY GEN-EARAL HOAR'S SUMMING UP FOR THE PLAINTIPP. Mr. Hoar resumed his summing up of the evidence on the part of the plaintiff. He said he would claim the indulgence of the jury while he commented on another feature of this case. He alinded to the visit of Mr. Chase to Anne Eliza Vander-voort, who testified that there was no use in Bowen in Providence, Madame's son. Mr. Chase said he knew that, but that as Bowen was illegitimate he could not inherit. In regard to the evidence of the colored woman, who said that she knew G. W. Bowen was the son of Madame Jumel, did the jury believe that Mr. Chase said nothing in reply to that? They had gone through the early history of Betsy Bowen. They found her at Reuben Ballou's—found Bowen there from an early age, and then they traced Betsy on to New York.

At this stage of the case the plaintiff was called

by Mr. Hoar in front of the jury, where he took a seat, and Mr. Hoar then exhibited to the jury a picture of Madame Jumel, so that the jury might, as he said, be able to make a comparison of the

Mr. Hoar said that this plaintiff inherited certain marked characteristics from his mother; he was a man of strong physical nature, he had the

blue eyes and the brown hair of his mother, Betsy Bowen, afterwards Madame Jumel, and since this trial commenced he had had a child born to him. They had an opportunity of judging between Mr. Bowen at eightly and Mr. Chase at sixty-four years old. Family resemblance of a child to a parent was a part of general human knowledge. Counsel alladed to the case of Don John of Austria, mentioned in Prescott's history of Philip II. The regent Johanna wished to see the child; she gazed at him long and earnestly, and the child shrunk from her gaze. Finally she recognized in his rich yellow locks and bright blue eyes some of the peculiarities of the Austrian line. Stooping down, she said, "The same blood dows in your veins as in mine," and she kissed the child. The portrait now produced was a likeness of Madame Jumel, and Mr. Chase said he had a likeness at his house of Madame that was painted in Rome. They had called for the production of that picture; it was not, however, produced, because, it was said, it was too heavy, though it had been sworn two men could carry it, the was glad to see that there was a gentleman on the jury who had a knowledge of portraitare, and he would be able to appreciate these remarks. It was one of the peculiarities of Madame Jumel that she had long ears, and so had the plaintiff. The tip of his ear was on a level with the tip of the nose, and the picture of Madame Aumel. There was another mark on his face, which indicated a likeness to Madame—put there, he supposed, by Mr. Tucker for the purposes of this case. (Laugnter.) and the picture of Madame Jumel. There was a similar appearance in the features of Madame Jumel was a similar appearance in the features of Madame Jumel. Here the defendant smiled, the jury smiled, and there was a general smile all around the court. The learned gentleman resumed his argument, stating that Mr. Carter, in his summing up, attacked the entry in the King Henry book and the formation of the letters composing it. But who put that entry there—he meant the plaintiff w ham four times, nor to find counsel who would yield up a ice of \$50,000. Mr. Chase got a release of all this from Mr. O'Conor; but what it amounted to the jury would judge. Having adverted to the part take the state of the jury would judge. Having adverted to he part take the state of the judge of the j

writing.

Mr. O'Conor made no reply to this offer. He simply smiled, as did several other persons in

Mr. O'Conor made no reply to this offer. He simply smiled, as did several other persons in Court.

SUMING UP OF MR. CHARLES O'CONOR FOR THE DEFENDANT.

Mr. O'Conor at about two o'clock proceeded to sum up the case on behalf of the defendant, Mr. Neison Chase. The learned gentleman said he desired to treat this matter with gravity, and if he had not been grave in treating it he hoped the Court would forgive him. With respect to the last remark of the learned gentleman who had addressed them he had endeavored to be as grave and imperturbable as possible. In cases of this character it was desirable that topics as little irrelevant as possible should be introduced. The gentleman who had last addressed them was a man of honor and veracity. All that he said deserved the highest respect. This was not said in the way of superabundant commendation, for Mr. Hoar had always maintained a high character in his own locality. To say this much was perhaps, a piece of presumption on his (Mr. O'Conor's) part. The honored Judge who presided and the jury who now sat were the constituted judges of the dispute between the parties to this suit. The jury were independent of these litigants, and with them was the power of judging and deciding upon this case. If any one of the conseived with his own locality of all influences or corrupt motives, while

counsel were in intellectual power greater than any one of the jury, that did not piace him on the same level with the jury, for the jury were independent of all inducances or corrupt motives, which he acts. This necessary condition on the part of the lawyer discutited him to step on the same platform with the jury in deciding upon the merits of the case. This being so, the opinion of either of them, so far as it might be called an opinion, was only an argument addressed to the intelligence of the jurors. The Court would ten them that the lawyers were only advocates and the jury the judges. The learned gentieman who find last addressed them had advanced the idea that he and the jurors, for a whole Winter, had communed mutually on the merits of the suit, and he stated that he was wholly is normal of it until he came into it, and knew nothing of the case except from the evidence given in Court. He came for that a pre-eminence that would enable him to walk into the jury box, and stand upon an equality with the jury in deciding the case. He (Mr. O'Conor) thought that a counsel who went into a case involving six millions of dollars should know something of it before he went into it, and why counsel should lay claim to pre-eminence on, that ground over counsel who had borne the heat of the contest for so long a time he was at a great difficulty in comprehending. He would not have said a word on this subject if the learned gentleman had not said something that savored of this case the jury disagreed. The present jury was a special jury and the former one was not. Why did the defendant ask for a special jury to try this case? Either to show that he had special confidence in his case or that he wanted to get a jury specially good or specially bad. Mr. Chase had done nothing in connection with the operation of selecting the jury, and if any one had attempted on the part of Mr. Chase to influence the minds of the jury towards him, or towards his counsel, if was utterly unknown to him (Mr. O'Conor) up to this time, and he

this was a case brought to compel the possessor of this great estate, by reason of wrong and long littigation, to come to a settlement. It had dispute been held that a jury were glad to be assisted with the opinions of indiges on questions of iaw and dispositions of fact. That great and venerated man Judge Nelson) whose portrait was now before them, and who had been obliged through falness of years to retire from the bench, never yet tried a case without expressing his opinion on the law and the facts, and it was with some regret that he had heard the learned gentleman say that the jury were to decide this case without being influenced by the opinion of any human being influenced by the opinion of any human being influenced by the opinion of any human being influenced by the opinion. He (Mr. O'Conor) protested against such an idea. The jurors were to retire and consult together. He protested against this attempt on part of counsel for the plaintiff to wring a disagreement from the jury. Great as would be the ruin that would fellow to Mr. Chase if there was a verdict for the plaintiff, he (Mr. O'Conor) would not ask the verdict of one, two or three of the jurors, but from the whole jury. As long as this case was kept in litigation Mr. Chase would not be able to do anything with his property; so that he now appealed not to a portion of the jury but to the whole of them; and he (Mr. O'Conor) did not ask from them for his opinions any more consideration than they believed them justly entitled to. He invited not to a portion of the jury but to the whole of them; and he (Mr. O'Conor) did not ask from them for his opinions any more consideration than they believed them justly entitled to. He invited the most careful scrutiny into the accuracy of what he was now going to say. He was now brought to a general view of this case as to all the parties concerned and as to the property as it was placed before them. It had been attempted to cover with slaver all the persons who had been connected with this property. Was it not proved and fully admitted that Stephen Jumel purchased the whole of this property with his own money, enjoyed it through life and left it to Mrs. Jumel, who was enabled by will to punish the ingratitude of their adopted children if they behaved ungratefully? Was it not in evidence, beyond doubt, that Mary Jumel was the adopted daughter, the beloved daughter of the Jumels? Mr. Chase stated that it was not he, but Judge Crippen, who published the notice of his marriage with Mary in the newspapers. Now, then, he would say to the jury, Was it necessary to serve a notice, or anything of that kind, in order to show that this was the adopted daughter of Stephen Jumel as well as of Mrs. Jumel? They had in eyidence that, immediately after the war of 1811, this family went to France, taking with them their adopted daughter, then about fourteen years of age, for the purpose of giving her an education with all the desirable accomplishments which people of foreign, and particularly of French, sympathies believed could be obtained in any other country. Here was a letter of stephen Jumel, which he would read, written, however, in French, and which a sworn witness had translated, but which the learned counsel at the other side had permitted them to translate into English. It was understood to be a true translate into English. to be a true translation, and he would beg now to submit its contents. It was written in French, ad-dressed to Mary Jumel, who at that time was in Bordeaux. The following is the letter:—

Bordeaux. The following is the letter:—
ADDRAY MARY—It was with great pleasure that we received your dear letter through Mrs. Ferry, who is here and who is to leave again to-morrow. It was through his we carried that you were not thin it should be a supported that you were not the standard for the price of the standard for the price of the standard for the price is very precious. I received that letter from the prices, Mr. Fenwick, of New York, who asks if you are always charming and if you cantinue to be good. I have answered him that you are in a convent and that there is no doubt that you were doing your duty." I commet here observed this related to her prayers.] And the letter concluded by saying:—Dear, believe me your dear father.

Now be Mr. O'Conort would see the invent in

Now, he (Mr. O'Conor) would ask the jury if it were necessary to serve notices and formally to prove it here that that letter in his hand was genuine. In that letter stephen Jumel did not merely say my adopted daughter. It was not merely say my adopted daughter. It was not merely "your father by adoption or your protector," or anything of that kind, but the letter was couched in the fondest and most endearing terms, for the relation was of the tenderest and sweetest that belonged to human nature; and what more dear than the love of a father for his daughter. It was just like the love of a mother for her son. There was something in the laws of the sexes that operate in this relation, and the nearest and the purest and sweetest of all love has a father for his daughter. The nearest and dearest and brightest and proudest thing that a mother could contemplate is her son. The proofs were entirely satisfactory on this subject. He did not mean to say that this woman was really a child legitimate or lilegitimate of Mr. and Mrs. Jumel, but he meant to say that the relation that grew up between them by reason of there being no child born in their household was that of father and child in the most emphatic manner. After 1815 Madame came here from France to live alone, leaving Mary there to complete her education. Madame for a couple of years was living alone at the mansion. The learned gentleman read a letter from Madame Jumel to Mary Jumel. The letter was couched in the most affectionate language. This was the simple, honest, unguarded Now, he (Mr. O'Conor) would ask the jury it a letter from Madame Jumel to Mary Jumel. The letter was couched in the most affectionate language. This was the simple, honest, unguarded deciaration of both these parties. Had there yet appeared in this case a witness so base or daring as to say that the heart and the yearnings of the Jumels ever turned away from Mary Jumel? David Wilkie was examined in the office of Mr. Tucker as to the relationship that existed between Mary Jumel and the Jumels, and he said that Madame Jumel always spoke kindly of Mary; said she was her angel; promised her to take care of her two children and see to them, and then Mary died happy. There never was in any way anything children and see to them, and then Mary died happy. There never was in any way anything but the mast kindly relations between the Jumels and Mary Jumel, their adopted daughter, and the Inheritors of this property. They stood there as the representative of Mary Jumel, whose children were before them, the children of stephen Jumel's adopted child, the child of his adoption and love. This was said to be a case of circumstantial evidence. He (Mr. O'Conor) would argue the case on the facts. At the death of Mrs. Chase Madame Jumel took the children of Mary and said she would take care of them. And did she not do so as long as she remained sane and in possession of her mental faculties? Mr. O'Conor went on to advert to the kindly relations that existed between William Chase, Miss Chase and Madame Jumel, Madame taking the young lady with her to France, in 1864, where she procured her a husband, and agreed with the father of that husband for a division of her property among the with her to France, in 1854, where she procured her a husband, and agreed with the father of that husband for a division of her property among the young married couple. Those relations existed down to a period until Madame's mind became affected. Those insane ravings of Madame were now brought up, not for the purpose of showing that the Chases had done anything wrong, but that Madame's affections had been estranged from them. These were the disturbed ravings of a broken intellect, so far impaired as not to be trusted by the law of the land in the making of a will. Mr. O'Conor then proceeded to call attention to the power of attorney made by Mr. Junel May 15, 1820, giving Madame Jamel power to execute any and every disposition of the property she deemed fit, and in 1827, in pursuance of that power of attorney, and by deeds, the homestead at Washington Heights, the property at Liberty street, in the city of New York, and the twenty-six acre lot were conveyed to Mary Junel, who afterwards married Mr. Chase. At this point of the argument the court adjourned to Monday morning, when Mr. O'Conor will resume his summing up.

BUSINESS IN THE OTHER COURTS.

MARINE COURT-PART I.

Action Between Landlord and Tenant.

Before Judge Joachimsen. William G. Vander Roest vs. Alexander Roux. In the Fall of 1860 the plaintiff leased from the de-fendant the building 45 Mercer street, for the purpose of carrying on therein the artificial flower business, but no other business more dangerous in its character. By permission of the laudlord an addition of wood and corrugated iron was erected on the roof by plaintiff, in which was placed a boiler used in the dyeing of feathers, and the roof was also used for the drying of them. The floor of this structure was of slats of wood laid so as not to interfere with the rain being carried off, but laid over the mouth of the iron pipe built to relaid over the mouth of the iron pipe built to receive it, running down through the building, and toward which the roof inclined from front and rear. In March, 1871, the defendant was erecting another building on the lot 47 Mercer street, in which one of the wails of No. 45 was used as a party wall, but the new building being carried higher han the old one, the edge of the tin roof of 45 was taken from under the coping and laid up against the new wall. On the morning of the 15th a very heavy rain shower occurred, which deluged the premises occupied by plaintiff, damaging a quantity of flowers and feathers, for which this suit is brought. Plaintiff contends that the rain which caused this damage penetrated at the point where the tin was raised, and a number of witnesses swear that from the indications that must have been the point, while the testimony was equally strong on the other side that this was not the case, their theory being that the escape pipe was filled up with particles of feathers escaping from the boller in the dyeing process and failing on the roof in the drying, thus causing the water to back and come through at another point, and a plumber was called who testined to having uncovered the pipe and taken out a mass of stuff sufficient to stop at. This was contradicted, however. Defendant's counsel moved for a nonsuit on the grounds that the using of the building for the feather business was a violation of the lease, that defendant cannot be made piaintiff's insurer, and that the addition on the roof endangered the safety of the building; but the motion was denied and the case submitted to the jury, who rendered a verdict for the amount of damage suffered by the plaintiff. For plaintiff, Steele & Boyd; for defendant, Edgar Logan. ceive it, running down through the building, and

COURT OF GENERAL SESSIONS-PART L

Two Cases of Felonious Assault-The Prisoners Convicted and Sent to the State Prison for a Term of Years.

Before Recorder Hackett. The first case tried by the jury in this Court yes terday was an indictment for felonious assault, charged to have been committed by Chauncey Leaver upon a youth named Peter Chella. It was shown that on the 20th of January, while Chella, who was a newsman, was standing quietly in Park

street, the prisoner, without any provocation, stabbed him in the breast with a shoemaker's knife. The jury rendered a verdict of guilty of an assault with a dangerous weapon, with intent to do bodily harm.

His Honor, the Recorder, in passing sentence, said that Leaver was probably one of the Italians who had been recently sent to this country by the Italian government, who seemed to consider that the United States was a kind of Botany Bay for criminals and reckless characters. The prisoner was sent to the State Prison for five years.

Thomas Burke, against whom was a similar charge, was also tried and convicted of assaulting John Dunford on the 1sth of August, in Fifty-ninth street, between First and Second avenues. From the evidence adduced it seemed that the complainant was in the street and the prisoner rushed at him with a knife, indicting one wound in the breast and another in the abdomen, and that after the stabbing some girls shouled, "Tommy, you have got the wrong man." Burke positively denied having stabled Dunford, although when arrested he admitted to the officer that he had a difficulty with him.

The Recorder intimated that Burke added perjury to the crime of which the jury found him guilty. Five years in the State Prison was the sentence.

An Acquittal.

An Acquittal.

Max Loewenthal was tried upon an indictment charging him with receiving a tub of butter which was stolen from the store of Charles Bulko, 276 Third street, by Rudolph Benken. The circumstantial proof against the defendant, who kept a grocery story, was very slight, and the Recorder directed the jury to render a verdict of not guilty.

A Car Pickpocket Sent to Sing Sing.

John Wallace, who on the 3d inst. stole a go watch and chain valued at \$200 from John Dewitt while riding on an Eighth avenue car, pleaded guilty to an attempt at grand larceny. Mr. Mc-Clelland made a strong appeal for a mild sentence, which was unavailing, the Recorder observing that a pice pocket was the meanest kind of a thief. Two years and six months in the State Prison was the sentence imposed upon Wallace.

Petit Larceny. Thomas Devine, who, on the 31st of January, stole sixty cents from Augustus F. Long, pleaded guilty to petty larceny, and was sent to the Peni-tentiary for six months.

Prisoners Discharged. A number of other unimportant cases were dis-posed of, consisting of complaints dismissed by the

Grand Jury and indictments against parties where the proof was insufficient to sustain the indictments.

The Court adjourned till this (Saturday) morning for the purpose of hearing motions.

COURT OF GENERAL SESSIONS-PART 2.

Before City Judge Sutherland. Several cases were tried in this Court yesterday.

Recognizances were forfeited in the cases of William Hanton and Eben W. Hovey. Joseph Lynch pleaded guilty to assault and battery, and was sentenced to imprisonment in the Peultentiary for one month. Charles Cordy pleaded guilty to larceny from the person, and was sentenced to six months in the Penitentiary.

A Quid of Tobacco.

David Hanlon, an old man of seventy-three years of age, was tried for felonious assault and battery. The provocation was shown, however, to have been very great. The prisoner was a "canaller," working on a barge with three other men, and on the 20th of July last was sieeping on the boat, with his mouth wide open, when one of the men suggested that it would be a good joke to put a quid of tobacco between the old man's jaws. Daniel Reardon, the complainant, was the only man on the boat that chewed, and iurnshed the quid for another man to use in the manner proposed. The old man woke up, spat out the filthy morse! that had been placed between his teeth, and was transported with rage at the insult. Soon after he went ashore and procured a cart rung, and, under the impression that the tobacco must have been Reardon's work, hit him on the head and shoulder so severely that he was in the hospital for ten days afterwards. The jury were compelled to find Hanlon guilty; but Judge Sutherland, in consideration of the age of the prisoner and the grossness of the fusult, indicted a penalty of only ten days in the city prison.

A Row at a Pienie.

John Matheis was tried for a felonious assault very great. The prisoner was a "canaller," work

John Matheis was tried for a felonious assault upon Mr. Ernest Vule on the 8th of July last. Mr. Vule was one of the managers of a target excursion of the Hoffmann Light Guard, which took place at the Cremorne Garden, and in the fulfil ment of his duty had to call Matheis and another ment of his duty had to call Mathels and another boy to order for some outrageous misconduct towards ladies. Mathels resented Mr. Vulc's rebuke and threatened to "fix him for it." A few minutes afterwards he came behind Mr. Vulc and struck him with his fist cienched round some hard substance. The defence was that the blow was given by some one else. The jury returned a verdict of guilty of assault and battery and Mathels' was sentenced to six months in the Penitentiary.

Charles Ruppel pleaded guilty to assault and battery and was sent to the Penitentiary for six months.

JEFFERSON MARKET POLICE COURT.

Burgiary. Isaac Brinkerhoff was held to bail before Justice Cox at the Jefferson Market Police Court, vesterday on the charge of burglary, in entering the premises 534 Broome street by means of a faise key, in May last, and stealing a cock and other property. He admitted his guilt and was commit-ted, in default of \$1,000, to answer.

Grand Larceny. John Benson, a colored boy, was charged with John B. Walsh, 140 West Twenty-second street.
While in court he was identified as the person who
stole a lot of silver from the house 212 West
Twenty-fourth street a week since. He was locked
up to answer.
Supposed Larceny of Silverware.

Yesterday afternoon Officers Bush and O'Neil, o the Ninth precinct, arrested a woman on Sixth avenue, who gave her name as Caroline Welsh, of 242 Eighth avenue, having in her possession a basket Eighth avenue, having in her possession a basket containing a large quantity of silverware, which she was trying to sell. Upon being questioned sile gave very contradictory accounts of herself. She was taken to the station house and there searched and on her purson was found other silverware and a number of pawn tickets, which investigation showed were obtained for silver, ladies' dresses and other valuable articles predged. She was taken before Justice Cox, at Jefferson Market, and remanded for examination. The property can be seen at the Ninth precinct station house.

YORKVILLE POLICE COURT.

Arrested for Vagrancy. Frederick Parker, whose father is said to be respectable and even wealthy citizen of the Twenty-first precinct, was brought up on a charge of vagrancy by Captain Williams. The defendant, of vagrancy by Captain Williams. Inc delendant, through his counseledemanded an examination, and it was granted. While the commitment was being made out Parker insulted the captain, threatening to "fix him" when he (Parker) got out. His conduct in court cannot be justified, even though the charge against him may not be true.

A Gray-Haired Carpet-Bagger.

Henry Witson, a gray-headed old sinner, was arraigned by Sergeant Armstrong, of the Nineteenth sph-precinct (the Grand Central depot), on the charge of having robbed Alderman Summers, 202 East Fifty-fifth street, of a carpet bag, the contents of which were valued at \$48. Mr. Sommers on entering the depot on Thursday afternoon placed the tering the depot on Thursday afternoon placed the bag on the heater, while he went to the window. When he turned round the bag was gone. Shortly after the prisoner was arrested with the bag in his hand and on his person a pantaloons belonging to Mr. Sommers. Earlier in the day he had made an attempt to rob a Baltimorean gentieman of a bag containing \$10,000, but was allowed to go because the complainant would not stay to prosecute. Wilson, it was shown, is an old hand at this game, and was, of course, committed for trial.

A Likely Lad.

A young scamp, named Charles Tracy, aged four teen, was charged with robbing Mrs. Isabella Nevilles, of 236 East Twenty-ninth street, of a \$20 note. The accused had spent all the money except \$2, which he had deposited in a bank to his own credit, before being arrested. This he returned and he was held for trial by Justice McGure, sitting in the absence of Justice Counter, who is ill.

BROOKLYN COURTS.

SUPREME COURT-GENERAL TERM. John Kellum's Will. Before Judges Barnard, Gilbert and Tappen.

The General Term yesterday rendered a decision affirming the decree of the Surrogate of Queens affirming the decree of the Surrogate of Queens county admitting to probate the will of John Kellum, the wealthy architect, who died in July, 1871. Mr. Kellum left all of his estate to his wife, and his son and daughter contested the will on the ground that it was not executed and attested in the manner prescribed by law, and that it was not subscribed by John Kellum. The General Term aimms the decree, with costs. Opinion by Justice Barnard. The case was reported in the Herald of yesterday.

SUPREME COURT-SPECIAL TERM. The Everlasting Pavement Litigation.

Before Judge Pratt.

The Hanson place Methodist Episcopal church and others petitioned to have the assessments for

the paving of St. Felix street with Nicolson pave ment vacated on the ground of fraud and irregularity. The allegation was that the work had been done in utter disregard of a remonstrance of the property owners, a majority of whom did not petition the Water Board to have the pavement laid. The referee to whom the case was referred reported in favor of vacating the assessments and that a majority of the property owners had not petitioned for the improvement. It appeared before the referee that a number of the names signed to the petition that was presented had been forged and that others were fictitious, while in several instances, parties who had expressed themselves as in lavor of cobblestone pavement had "Nicolson" substituted for cobblestone on the paper. Judge Prati decided that the church's petition should be granted and likewise that of those owning property between Faiton avenues and ligason place; but as to those owning between Fuiton, and Dekalb avenues, he denied the prayer of their petition, on the ground that two-thirds of the assessments on these lands had been confirmed by the compromise act of the last Legislature. larity. The allegation was that the work had been

CITY COURT-TRIAL TERM. A Nurse's Claim.

Before Judge Thompson. Mary White claims \$7,125 from William Albert and Charles Hickman, as executors, &c., of Captain Richard Adams, for services in nursing and taking care of the Captain's wife, who was insane and subject to convulsions, from 1868 to 1872. Plaintiff alleges that the husband agreed to pay her \$125 per month, and that her services were fully worth that sum. Captain Adams died in March last.

The employment is admitted by the defendants, who aver, however, that plaintiff was to receive but \$25 per month, and that she had been fully paid. Case on.

COURT OF APPEALS CALENDAR.

ALBANY, Feb. 14, 1873.
The following is the Court of Appeais day calendar for February 17:—Nos. 27, 500, 587, 600, 588, 618, 619, 628.

WAITS OF ERROR FROM THE COURT OF OVER AND TERMINER.

An Act to Amend and Enlarge the Jurisdiction of the Court.

The following recited act has been drawn by Recorder Hackett and will be sent to the Legislature with a request for passage. As it applies only to New York city it is believed it will therefore avoid the jealousies of members from other counties, and it differs from all other propositions in that if forces a limit to delay in murder cases and obtains opinions before sentence day arrives. It is sent to the press for information and criticism. FEBRUARY 14, 1873.

AN ACT relative to procedure in motions for new trials or regarding the writs of error upon con-victions in the Court of Oyer and Terminer of the First Judicial district, or of the Court of General Sessions of the Peace, in and for the city and county of New York, and to regulate in the Court of Appeals the procedure upon such writs of error.

error.
The People of the State of New York, represented

of Appeals the procedure upon such writs of error.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:—

Section 1.—Except only for cause of some misconduct committed by a petit juror upon any trial of any indictment between the time of his being empanelled and discharged, no motion for a new trial shall be entertained by either the Courts of Oyer and Terminer of the First Judicial district, or the Court of General Sessions of the Peace in and for the city and county of New York. Whenever such cause of misconduct is assigned as ground of a motion for such new trial, it shall be founded upon an affidavit informing the Court of the alleged misconduct, but upon the hearing of the motion upon its merits (if it is entertained) the Court shall hear testimony only in open Court for or against the motion.

Sec. 2.—No writ of error to review any judgment upon any conviction had, after the passage of this act, in the Court of Oyer and Terminer of the First judicial district, or the Court of General Sessions of the pence for the city and county of New York, shall hereafter issue as a writ of right and only according to the provisions of this act. Such writ of error shall only issue when allowed by a justice of the Supreme Court of the First judicial district, or by a judge of the Court of Appeals, whether in or out of Court, or in or out of term, as the contingency may arise, and may issue with or without stay of proceedings. But no stay of proceedings shall be allowed on said writ, except when ordered by such instice or judge and endorsed on said writ. When allowed, whether with or without stay of proceedings, such writ shall be made returnable directly to the Court of Appeals, and with the same effect of return and proceedings and with the same effect of return and proceeding and five horizon and for the city and county of New York, shall be effectual or valid unless duly settled and duly signed within ten days after a conviction, except that for the cause of lilness of judge o original of said with, with the original of the proper return thereto to be filed in the onlice of the Clerk of the Court of Appeals on or before the tenth day succeeding the day upon which the writ was allowed. At any time after said filing, the District Attorney of the county of New York may move the Court of Appeals to assign and fix a day for an argument upon said writ of error, together with whatever return has been made thereto, whereupon it shall become the duty of the said Court of Appeals, if the said writ of error is upon a conviction for murder in the first degree, to immediately assign some day for argument, which shall be a day within ten days succeeding such application. The District Attorney shall, within twenty-tour hours after said fixing of the day of argument, give to the defendant or the party suing out the writ, a personal and written notice of argument. In cases, however, of writ of error upon conviction for an offence not punishable with death, the Court may assign any day or days for argument and adjourn the same within its discretion, and in such cases which are not so punishable, may decide the same at any time within its discretion after argument. But the said Court of Appeals shall, upon all arguments upon writs of error to review convictions for number in the first degree, render a decision and give judgment within ten days after the argument thereupon. In considering any of said argument thereupon. In considering any of said argument sthe Court of Appeals shall only pass upon the exceptions taken at trial, or upon errors in the record of judgment, except that it may decide in cases involving murder in the first degree, upon the whole testimony contained within the bill of exceptions if the argument with the court of Appeals shall reverse any conviction for murder in the first degree of homeide, it shall state, in its opinion what degree of homeide, it shall state, in its opinion what degree is warnated by the bill of exceptions, whether of the first time upon his conviction before

THE HASTY AUTOPSY. The Death of Mr. Frisbie-His Body

Claimed by Friends.

The remains of Mr. J. P. Frisbie, the aged gentleman who died so suddenly in Centre Street Hos-

pital, and on whose body Coroner Kessler ordered an autopsy, made in undue haste, in less than ninety minutes after death, as previously reported in the Herald. Were yesterday claimed by iriends living in Plainville, Hartford county, Conn., the former home of deceased. Mr. Prisbie did business at 11 West Twenty-seventh street and boarded at 4s West Fourth street. In regard to the post-mortem examination on the body of Mr. Frisbie, Deputy Coroner Leo freely confesses that so hasty an autopsy was not only unusual but highly unprofessional, but he did it by the imperative orders of his superior, Coroner Kessler. The body of Mr. Frisbie was taken on to Connecticut yesterday afternoon for interment. pital, and on whose body Coroner Kessler ordered

THE PRIZE RING.

Arthur Chambers and George Seddons Matched for \$1,000 a Side-Wednesday, 21st of May, the Fighting Day.

After several meetings, resulting in nothing but words, the well-known pugilists, Arthur Chambera and George Seddons, met at a convenient trysting place yesterday afternoon and signed articles of agreement to meet in the "squared circle" and compare their fighting abilities. The intelligence that they would thus come together was pretty generally understood by the many friends of those men, and at the appointed hour, among many others, George Roorke, Mickey Coburn, Bob Smith, Tinz Collins, Butt Riley, Mike Trainor, Johnny Lazarus and George Siler put in an appearance, and, without ceremony, the principals began to exchange ideas and arrange the business on hand. First, it was determined they would fight for \$1,000 a side; secondly, at 120 lbs., and thirdly, that it should take place on Wednesday, the 21st of May. Then the question of selecting the ground was raised, when there ensued quite an argument, Chambers wishthere ensued quite an argument, Chambers wishing to meet at a spot not less than 500 miles from New York and Seddons not over 250 miles. A compromise was effected by tossing for the choice, which was won by Arthur, much to his granfication. From this point there was plain salling, and it was agreed that the principals should weigh the day before fighting, between the hours of eight and twelve o'clock noon, and that this business be gone through with at the place where Chambers may then be stopping. They also agreed to be in the ring between the hours of six and twelve o'clock noon. The first deposit of \$100 was then put up, the subsequent instalments being as follows:—March 14, \$150 each; April 14, \$250 each, and the tournh and last, Chambers \$550 to \$450 rrom Seddons. The difference in the latter amount is owling to the sum of \$100 that was put up by these men when they were in business together as a deposit in the proposed second match between Chambers and Edwards, and in this manner it has been divided, Chambers having been held responsible for the sum. The usual provise of tossing for the location of ground ten days before fighting, and also that of choosing the referee at the ripp side, were incorporated in the articles, when the entire party adjourned to some convenient place in New Jersey where they were duly signed, George Roorke being Chambers' witness, and Butt Riley assuming the same office for Seddons.

The consummation of this match will be halted with delight by all puglists throughout the country, as there is an evident determination on the part of the principals to thus satisfactorily adjust their differences. Both are well known as being very clever with their hands, and, with proper condition and no outside interference, there will be severe struggle for victory. Chambers and Seddons are in business, the former in Newark and the latter in this city.

SALE OF GOVERNMENT STEAMERS IN CALIFORNIA.

The Vanderbilt, Which Cost \$3,000,000, Would Not Bring Over \$56,000. [From the San Francisco Alta, Feb. 6.]

The sale of the United States government vessels, advertised to take place at the Navy Yard at Maro Island, came off at noon yesterday. A large number of gentlemen, representing the leading shipping and mercantile firms, took passage on the New World, at a quarter past seven o'clock yester-

per of gentlemen, representing the fearing supparage and mercantile firms, took passage on the New World, at a quarter past seven o'clock yesterday morning, to attend the sale. Owing to the early hour at which the vessel left, the attendance was not as large as was expected.

The weather was very misty, and consequently those on bourd were obliged to remain within the cabin. Some, of course, left a weakness about the stomach, on account of having left home without partaking of the usual repast. This, however, did not last long, as the breaknast bell sounded, and those of the party who were affected by the compunctions of an empty stomach repaired to the saloon, where their appetites were soon appeased. The remainder of the party passed the time in the cabin by taiking of the sale of the vessels, stocks and the grain market, and "guying" and chading each other about the sale. This was carried on in the most pleasant manner, and was participated in by all with the best of feelings—Captain Birmingham wanting to know what Chase, knew about ships or vessels of any kind: Eldridge asking why the services of a tugboat had not been brought into requisition to tug the vessels down from the yard. These and a thousand other pleasantries were induged in until the vessel sodwn irom the yard. These and a thousand other pleasantries were induged in until the vessel reached the Mare Island Channel. In passing through, the lighthouse tender Wyanda was seen to the left and directly abreast of the Powder Magazine, getting up steam. The Jamestown, Nyack and Dakota were tying further up the stream and close to the construction department of the yard, while the monitors Monadonek and Comanche, together with the sloop-of-war Cyane, were anchored in the stream of South Vallejo. The New World landed her passengers at her wharf in South Vallejo, when the gentlemen who had taken passage in order to attend the sale went on board of the Lively, the government steam launch, and after a quarter of an hour arrived at the island. The preparatio

past twelve o'clock the party repaired to the Vanderbill, where the sale was to take place. Several Navy (ard officials were present, besides a large number of residents of Vallejo who had attended more perhaps from motives of curiosity. J. O. Eddridge acted as auctioneer, and stated that the first vessel that he should offer for sale was the Resaca. The Resaca is a steamer of 1,165 tons displacement, of the third class, and when in service carried seven guns. The appraised value of the Resaca is \$50,000 (currency). The first bid offered was that of M. D. Boruck, who bid \$10,000. A lively competition then ensued between parties, and she was finally knocked down at the sum of \$41,000 to the firm of Goodall, Neison & Co. Twenty per cent of the money was immediately paid by the purchasers, and the remainder is to be paid on the adjudication of the sale by the authorities at Washington.

The Vanderbilt, of 3,187 tons measurement, was next offered for sale. Three years ago she was appraised by Captain C. H. Baluwin at \$55,000 (currency). Since then everything has been taken out of her down to the hammock hooks, until she is absolutely maked—nothing leit but ner huiland machines. Her value at present is appraised at \$44,800 (currency). The fightest bid offered for her yesterday was \$66,000, at which sum size was withdrawn. The bidding was by no measus active, the miserable appearance of the vessel having a disspiriting effect. Great disappointment was manifested by all at her neglected look. The first bid offered was that of Mr. Bornek at \$3,000. This was followed by a bid from Calvin Page of \$35,000. This was followed by a bid from Calvin Page of \$36,000. This was followed by a bid from Calvin Page of \$46,000. This was followed by a bid from Calvin Page of \$46,000. This was followed by a bid from Calvin Page of \$46,000. This was followed by a bid from Calvin Page of \$46,000. This was followed by the premand. The efforts of the talented auctioneer were well litustrated by the great advance he received over the apprai

ALLEGED FATAL FORCIBLE DISPOSSESSION.

A Court Officer Charged by a Coroner's Jury with Having Caused the Death of a Woman. Coroner Keenan held an inquest yesterday after

noon touching the death of Mrs. Margaret Gorde aged thirty-two years, from the effects of a mis-carriage, alleged to have been caused by violent treatment at the hands of Moses Mintz, aged thirty-five years, an employé of the Marshal of the Sixth District Civil Court. The evidence showed that Mintz went to the tenement house 79 Goerck street, in which the deceased resided, on the 27th ultimo, to execute a warrant of dispossession which had been issued against her husband. Upon stating his business to the woman, and showing his warrant, she asked him to wait till her husband came home. Mintz, who was accompanied by one or two others, it seems, refused to wait, but immediately proceeded to remove the furniture to the street. Mrs. Gordon resisted Mintz and seized him by the lappels of his cont. He told her to let go, but she retained her hold. He then pushed her from him, and either by the force with which she was pushed or on account of stumbling she fell to the floor. After falling she srose, and with the help of some of hen neighbors renewed the attack. Mintz then threateningly drew a club from his pocket, but did not use it. During the second assault the woman again fell to the floor, and died three days later from the cames stated.

The jury found a verdict against Mintz, and he was admitted to bail in the sum of \$2,000 to await the action of the Grand Jury. evidence showed that Mintz went to